

Message

From: Jill Holihan [JILL.HOLIHAN@fmc.com]
Sent: 7/23/2018 8:24:48 PM
To: Perry, Tracy [Perry.Tracy@epa.gov]
CC: Jakob, Avivah [Jakob.Avivah@epa.gov]; Paul Whatling [Paul.Whatling@fmc.com]
Subject: RE: [Ext] malathion adulticide sales data
Attachments: Malathion Mosquito Control Sales Data COVER LETTER 180719.pdf; Malathion Mosquito Sales and Use Data 180717.pdf

Tracy,

Here is a copy of the cover letter and attachment. I will send the password for the CBI attachment in a separate email.

Regards,
Jill

JILL HOLIHAN

Director, Product Development & Regulatory Affairs | FMC Global Specialty Solutions
office 215.299.6436 | mobile 732.966.2664

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From: Perry, Tracy [mailto:Perry.Tracy@epa.gov]
Sent: Monday, July 23, 2018 4:14 PM
To: Jill Holihan <JILL.HOLIHAN@fmc.com>
Cc: Jakob, Avivah <Jakob.Avivah@epa.gov>; Paul Whatling <Paul.Whatling@fmc.com>
Subject: RE: [Ext] malathion adulticide sales data

Hi Jill,

An electronic copy would be helpful. Thank you!

Regards,

Tracy L. Perry
Senior Regulatory Advisor
Risk Management and Implementation Branch III
Pesticide Re-evaluation Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
(703) 308-0128

From: Jill Holihan [mailto:JILL.HOLIHAN@fmc.com]
Sent: Friday, July 20, 2018 4:47 PM
To: Perry, Tracy <Perry.Tracy@epa.gov>
Cc: Jakob, Avivah <Jakob.Avivah@epa.gov>; Paul Whatling <Paul.Whatling@fmc.com>
Subject: FW: [Ext] malathion adulticide sales data

Ms. Perry,

Hope all is well. We submitted the malathion sales CBI as requested and it should arrive in DC today.

I was wondering if you would like an electronic copy as well? I can send it in a password protected file and then follow with a separate email with the password if you prefer.

Thank you,
Jill

JILL HOLIHAN

Director, Product Development & Regulatory Affairs | FMC Global Specialty Solutions
office 215.299.6436 | mobile 732.966.2664

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From: Paul Whatling
Sent: Tuesday, July 17, 2018 4:33 PM
To: Perry, Tracy <Perry.Tracy@epa.gov>
Cc: Jakob, Avivah <Jakob.Avivah@epa.gov>
Subject: RE: [Ext] malathion adulticide sales data

Great, thank you for the advice!

Best regards,
Paul

From: Perry, Tracy [<mailto:Perry.Tracy@epa.gov>]
Sent: Tuesday, July 17, 2018 4:29 PM
To: Paul Whatling <Paul.Whatling@fmc.com>
Cc: Jakob, Avivah <Jakob.Avivah@epa.gov>
Subject: RE: [Ext] malathion adulticide sales data

Yes, that will work. Mailing to me directly at the address below would be best. I recommend enclosing the confidential information in a separate sealed envelope marked CBI (i.e., an envelope within an envelope).

Tracy Perry
US Environmental Protection Agency
Office of Pesticide Programs (7508P)
2777 South Crystal Drive
Arlington, VA 22202

From: Paul Whatling [<mailto:Paul.Whatling@fmc.com>]
Sent: Tuesday, July 17, 2018 4:18 PM
To: Perry, Tracy <Perry.Tracy@epa.gov>
Cc: Jakob, Avivah <Jakob.Avivah@epa.gov>
Subject: Re: [Ext] malathion adulticide sales data

Thanks Tracy

This is a stand alone document. We do have it marked as confidential. However, we don't have it in a format consistent with PR Notice 2011-3 (formerly, PR Notice 86-5). In other words, it does not have a GLP statement or one of the standard data confidentiality claims under FIFRA Section 10(a), (b) or (c) as recommended in the PR Notice.

To be safe, think we will make it an enclosure to a letter addressed to you. We won't submit it to the docket with the other comments. Will that work for EPA?

Best regards,

Paul

Sent from my iPhone

On Jul 17, 2018, at 4:11 PM, Perry, Tracy <Perry.Tracy@epa.gov> wrote:

Hi Paul,

I do not think you need to use a particular CBI statement (like you do for submission of data). I think it's more important that the CBI be clearly marked and separated from the portion of the comments that you would like to be viewable by the public, such as in a confidential appendix. I can ask around more if you'd like.

Regards,

Tracy L. Perry
Senior Regulatory Advisor
Risk Management and Implementation Branch III
Pesticide Re-evaluation Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
(703) 308-0128

From: Paul Whatling [<mailto:Paul.Whatling@fmc.com>]
Sent: Monday, July 16, 2018 2:27 PM
To: Perry, Tracy <Perry.Tracy@epa.gov>
Cc: Jakob, Avivah <Jakob.Avivah@epa.gov>
Subject: RE: [Ext] malathion adulticide sales data

Hi Tracy

Do you know if the Agency has an example statement of confidentiality that is acceptable for use in submitting confidential sales data to the EPA? The data in our report includes import volumes, customer identification and sales volumes which we want to claim as confidential business information.

Thanks for your advice on this!

Best regards,
Paul

Paul Whatling
Senior Global Regulatory Technical Manager
FMC Corporation
1600 Wilson Boulevard, Suite 700

Arlington, Virginia, 22209
Work: 703 373 8885 | cell: 202 271 0074

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<image001.png>

From: Perry, Tracy [<mailto:Perry.Tracy@epa.gov>]
Sent: Tuesday, July 10, 2018 4:03 PM
To: Paul Whatling <Paul.Whatling@fmc.com>
Cc: Jakob, Avivah <Jakob.Avivah@epa.gov>
Subject: RE: [Ext] malathion adulticide sales data

Hi Paul,

Thanks for the quick response. We look forward to receiving the data by the end of the comment period.

Regards,

Tracy L. Perry
Senior Regulatory Advisor
Risk Management and Implementation Branch III
Pesticide Re-evaluation Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
(703) 308-0128

From: Paul Whatling [<mailto:Paul.Whatling@fmc.com>]
Sent: Tuesday, July 10, 2018 2:48 PM
To: Perry, Tracy <Perry.Tracy@epa.gov>
Cc: Jakob, Avivah <Jakob.Avivah@epa.gov>
Subject: RE: [Ext] malathion adulticide sales data

Hi Tracy

Thanks for contacting me about the mosquito sales data that we mentioned in our June 2016 comments on EPA's draft biological evaluation for malathion. As you've noticed, our comments (pages 458 and 459 in Appendix M) identified sales locations (state and county) for the years 2011 to 2014 (partial data for 2011 and 2014) and these data (along with 3 other data sources) were used to prepare the refined use area footprint (Figure M-3) on page 460. We also noted on page 458 that we would provide more detailed sales information in a separate confidential report.

We have not yet provided EPA with the confidential sales data report that was offered in our June 2016 comments. However, we currently have that report in draft form and we have added data covering our more recent sales (the full set of data for 2014 as well as for the years 2015-2017). In total, we are able to provide 7 full years of sales information that can be used to refine the use footprint for malathion adulticide uses. We intend to submit a final version of this confidential report to EPA before the end of the comment period for the NMFS biological opinion (by July 23, 2018).

If you have any specific questions or need additional information, please feel free to contact me.

Best regards,

Paul Whatling

Senior Global Regulatory Technical Manager

FMC Corporation

1600 Wilson Boulevard, Suite 700

Arlington, Virginia, 22209

Work: 703 373 8885 | cell: 202 271 0074

www.fmc.com | www.cheminova.com

<image001.png>

From: Perry, Tracy [<mailto:Perry.Tracy@epa.gov>]

Sent: Tuesday, July 10, 2018 9:09 AM

To: Paul Whatling <Paul.Whatling@fmc.com>

Cc: Jakob, Avivah <Jakob.Avivah@epa.gov>

Subject: [Ext] malathion aduicide sales data

Paul,

Below is an excerpt from Cheminova's comments on the biological evaluation for malathion indicating the availability of sales data related to the aduicide use of malathion specifically (Intrinsic malathion report). I am trying to locate the sales information. Was it submitted to our office? If so, was it given an MRID number? Also, would it be possible to send updated sales information for the past several years?

“To obtain malathion aduicide sales data, Cheminova/FMC tabulated all sales locations of its mosquito aduicide product, for Cheminova/FMC and its major distributor, for the years 2011 to 2014. These sales locations were either assigned to states and counties directly, or assigned to cities or ULV applicators. The complete dataset will be provided to EPA under separate cover as detailed sales information is claimed as confidential business information.”

Regards,

Tracy L. Perry

Senior Regulatory Advisor

Risk Management and Implementation Branch III

Pesticide Re-evaluation Division

Office of Pesticide Programs

U.S. Environmental Protection Agency

(703) 308-0128

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